

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

JOHN DOE,
Plaintiff,

v.

Case No.: 6:14 – cv00052 - NKM

WASHINGTON AND LEE UNIVERSITY,
Defendant.

AFFIDAVIT OF TAMMI SIMPSON

Tammi Simpson, being first duly sworn, deposes and states as follows for her
Affidavit:

1. I am over twenty-one (21) years of age, and am under no legal or mental disability or defect, am competent to be a witness, and have personal knowledge of the facts set forth herein.
2. My name is Tammi Simpson, and I am Associate Dean of Students and Dean of Juniors at Washington and Lee University, a position which I have held since approximately June 2014.
3. From approximately June 2014 through July 2015, I also served as the Chair of the Washington and Lee University Student Faculty Hearing Board ("SFHB"), which hears and adjudicates allegations of prohibited student discrimination, harassment, sexual misconduct, hazing by individuals and retaliation.
4. Following the conclusion of the SFHB's role in any particular charge, it was standard procedure for me to collect hard copy documents related to the case from SFHB members, the parties, and their representatives. The purpose of this procedure is

to limit the circulation of potentially sensitive student information and protect the confidentiality of the proceedings, as well as to ensure that Washington and Lee University maintains an official file as required by the Department of Education's Office of Civil Rights, and to ensure that the official file is maintained in a centralized location. A review of this procedure is part of the training that all SFHB members undergo before they serve on the SFHB.

5. During my time as SFHB Chair, the case of John Doe, which is at issue in the above-captioned matter, came before the SFHB.

6. In accordance with standard procedure, at the conclusion of John Doe's SFHB hearing, I reminded all SFHB members, parties and their representatives to give me any and all documents related to the case.

7. After I had collected the documents, but before I had an opportunity to destroy all but the official file documents per the procedure, I received a litigation hold notice from Washington and Lee's general counsel, stating that litigation was anticipated regarding this matter, and instructing me to preserve all records. I received the litigation hold notice on or about December 13, 2015. I acted in accordance with that litigation hold notice, and did not destroy any documents, which have since been provided to Washington and Lee's counsel in this litigation.

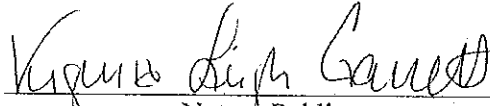
Further your affiant sayeth not.


Tammi Simpson

STATE OF VIRGINIA

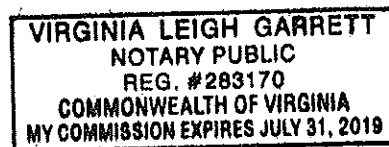
CITY/COUNTY OF Rockbridge

The foregoing instrument was acknowledged before me by Tammi Simpson, in the aforesaid jurisdiction this 12th day of January, 2016, for the purposes contained therein.


Notary Public

My Commission expires: 7/31/2019

Registration No.: 283170



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